

CWP-8943-2024
Date of decision: 23.04.2024

.....Petitioner

..... Respondents

Prayer in the present petition is for quashing the impugned order dated 23.02.2024 (Annexure P-17) passed by respondent No.4 under the Haryana Canal & Drainage Act, 1974 as the same being passed against the facts available on record which is totally illegal, arbitrary and unsustainable in the eyes of law with a further prayer that the application filed by the petitioner on dated 05.05.2022 (Annexure P-3) be allowed as prayed for. Further prayer has been made for quashing the impugned order dated 08.12.2023 (Annexure P-15) passed by respondent No.3 under the Haryana Canal & Drainage Act, 1974 whereby the appeal of the petitioner was partly accepted and the watercourse through rectangle/killan no.127//17 (Northern Side) was restored for two years only. Further prayer has been made for quashing the impugned order dated 07.07.2022 (Annexure P-10) passed by respondent No.2 under the Haryana Canal & Drainage Act, 1974 whereby respondent No.5 and his son were directed to temporarily restore the watercourse through rectangle/Killa No.127//17 (Northern Side) for one year.

Learned counsel for the petitioner fairly submits that he may be allowed to withdraw the present petition with liberty to file execution petition for execution of the order dated 23.02.2024 (Annexure P-17).

Allowed as prayed for.

Petition is dismissed as withdrawn with liberty as prayed for. It is clarified that in case the petitioner files the execution petition before the Court of competent jurisdiction, the same be decided expeditiously, preferably, within two months from the date of its filing.

23.04.2024

m. sharma

(RAJESH BHARDWAJ)

JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No